

of the bill increases by the same percentage the salaries of all Superior and County Court judges in the eight other provinces.

I come now to sections 4, 5 and 6, which simplify the procedure to be followed on the granting of a pension or annuity to a judge. Up to the present time it has been necessary not only to pass an order in council but to issue letters patent under the Great Seal, and it is felt that an order in council alone should be sufficient for the purpose.

Section 5 amends section 24 of the Act, which deals with annuities for judges of county courts. They were formerly covered by section 25 of the Act, and had they remained under that section they would not have benefited from the increase in pensions consequential upon the increase in salary. A county court judge who is compulsorily retired or has continued in office for at least thirty years may be granted an annuity of three-fourths of his salary of \$6,666.66, or a total of \$5,000. If the salaries are increased to \$8,000, as proposed, the ordinary annuity of two-thirds of salary will be \$5,333.33.

The purpose of section 6, which amends section 25 of the Act, is simply consequential upon the amendment to section 24, which I have just mentioned.

I come now to the last section of the bill, which provides for annuities to widows of judges or, in certain cases to wives of judges. Since August 15, 1944, a judge has been permitted to make an election under which he will receive two-thirds of his pension and his wife will receive one-third of it. Should the wife predecease him, the judge will continue to receive only two-thirds of his pension. The amendment adopted in 1944 did not apply to widows of judges who had died before that date and some of those widows are today in unfortunate circumstances. I am sure that my colleagues who are members of the Quebec Bar know, as I do, of some pitiful cases.

**Hon. Mr. Roebuck:** The same is true of the Province of Ontario.

**Hon. Mr. Gouin:** Some of these widows are practically in a state of poverty. Under section 7 of the bill, the new section 26A would enable the Governor in Council to grant to widows of judges who died before August 15, 1944, "an annuity not exceeding two-ninths of the salary provided by Act of parliament for a county court judge at the date the judge died, to continue during her natural life." In other words, the annuity would be at the lowest rate, based on the salary of a county court judge.

Subsection 2 of the new section 26A provides for the widows of judges who retired on pension before August 15, 1944, and who have since died. These widows also will receive an annuity of two-ninths of the salary provided for a county court judge.

Subsection 3 would authorize a judge who retired on pension before the date in question, and who is still living, to elect to divide his pension between himself and his wife. This election was provided for only on August 15, 1944; and there are a number of judges who had retired before that date to which it was not made retroactive. I submit that it is only fair that they be given this privilege, otherwise, when they die their widows will be left with nothing. Provision is also made for the irrevocability of the election; in other words, a judge's decision to divide his pension is final. Provision is made that when the widow of a judge remarries she will lose her right to the pension.

I am sure that all members of this house are fully aware of the necessity for providing adequate remuneration for our judges. Many of them make a sacrifice when they abandon private practice, even with the additional remuneration which this bill would provide. We in this house have the greatest respect for the members of the judiciary. They represent a very noble tradition in this country, and we desire to make sure that their standard of living shall be adequate and dignified. We would also wish to assure them that in their retirement, after years of dispensing justice, they will be given a decent pension. Finally, we want to make adequate provision for their widows.

If any member of the houses desires that the bill be referred to a committee, I shall be glad to so move. Personally, I feel that little can be added to the explanation which I have just given.

**Hon. Mr. Haig:** Question.

**Hon. Mr. Roebuck:** There is no need, in my opinion, to refer the bill to a committee. I express my full approval of it.

**Hon. Mr. Turgeon:** I also approve of it.

The motion was agreed to, and the bill was read the second time.

#### THIRD READING

**The Hon. the Speaker:** Honourable senators, when shall the bill be read the third time?

**Hon. Mr. Gouin:** Now.

The motion was agreed to, and the bill was read the third time, and passed.

The Senate adjourned until tomorrow at 11 a.m.